

REMARKS

The following remarks are numbered according to the paragraph number of the Office Action to which it responds to.

1. Applicant acknowledges withdrawal of indicated allowability of claims 20-21.
2. Examiner has rejected claim 20 as being indefinite under 35 USC 112, second paragraph. Claim 20 has been amended to clarify meaning and remove any indefiniteness.
3. Examiner has rejected claims 17, 20-21 as being anticipated by the Kost reference. With respect, it is submitted that these claims are not anticipated by the Kost reference.

The Kost reference teaches pre-manufactured wall frames – there is absolutely no teaching of roof trusses. Kost does not teach any form of roof truss. Examiner referred to Figure 12 and stated that element 23 is equivalent to a bottom chord and that element 2A is equivalent to the bottom plate. Element 23 may be the bottom chord of a roof truss, although it is identified as a cross-beam. However, element 2A is not a bottom plate. It is a top part of the wall framing unit.

The difference may be seen in that element 2A in Kost which Examiner has equated to the bottom plate runs perpendicular to the longitudinal axis of the roof truss. In the case of the present invention, the bottom plate is parallel to such axis, because it is part of the truss. The parallel characteristic is a claimed limitation in claims 1 and 17.

The present invention is an improved roof truss, which adds the element of a bottom plate, disposed below the bottom chord. This is best seen in Figure 1 of the present invention. It is important to consider that the bottom plate is a separate element from the bottom chord, not part of the bottom chord.

5. Examiner has rejected claims 1-5, 7-11, 13-16 as being unpatentable over Kost under 35 USC 103(a).

With respect, it is submitted that no *prima facie* case of obviousness may be made. Kost does not teach a roof truss, which is the object of the present claims. In particular, Kost does not teach a bottom plate which is parallel to the bottom chord.

7. Examiner has rejected claims 1, 2 and 6 as being unpatentable in view of Rydeen.

Rydeen does show a roof truss, however, no equivalent of the bottom plate is taught. Examiner has indicated that element 13 may be equated to the bottom plate of the roof truss. However, please note that element 13 is a support beam. Its purpose is to support the roof truss. This is apparent because it is perpendicular to the roof truss which is made up of elements 14 and 15. In particular, Rydeen does not teach a bottom plate which is parallel to the bottom chord.

Therefore, there can be no *prima facie* case of obviousness because each element of the present claims is not found in the prior art.

8. Examiner has rejected claim 12 as being unpatentable over Kost and further in view of Boozer.

Claim 12 depends from claim 1 and is therefore also submitted to be free of the prior art.

9. Applicant acknowledges indication of allowability for claims 18 and 19.

CONCLUSION

In view of the foregoing remarks and amendments, it is respectfully submitted that this application is in condition for allowance and allowance thereof is respectfully requested.

Respectfully submitted,

Larry Perrault, et al.

By: 

Edward Yoo (Reg. No. 41,435)

CORRESPONDENCE ADDRESS: Customer No. 22828